



United States Environmental Protection Agency  
Regional Administrator  
Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

**JAN 03 2017**

The Honorable Joe Donnelly  
United States Senate  
Washington, D.C. 20510

Dear Senator Donnelly:

Thank you for your December 20, 2016, letter to U.S. Environmental Protection Agency Administrator Gina McCarthy regarding EPA's recent activities in the City of East Chicago's Calumet neighborhood. I write to address the issues you raised and to update you on the steps EPA has taken to clean up contamination and to safeguard residents' health. I have previously met with Representative Visclosky in Merrillville on September 19, 2016, to provide an update. I would be pleased to meet with you to discuss progress at the site at your convenience.

The Administrator and I share your concern for the health of East Chicago residents. This same concern prompted EPA to clean up contaminated hot spots and to add the USS Lead Site to the National Priorities List in 2009. EPA developed a comprehensive cleanup plan for the site after the health assessment from the Agency for Toxic Substances and Disease Registry indicated that "breathing the air, drinking tap water or playing in soil in the neighborhoods near the USS Lead Site is not expected to harm people's health" and noted that "the declining blood lead levels in small children appear to confirm that they are no longer exposed to lead from any source." EPA then held the corporations that caused or contributed to the contamination accountable in federal court. In fact, by October 2014 the federal court had entered a consent decree pursuant to which private parties agreed to pay 100 percent of the costs to implement the remedy in Zones 1 and 3 of the Superfund site.

Throughout this process, EPA engaged the community with extensive outreach with numerous public meetings and fact sheets, direct mailings to residents, advertisements in local papers, door-to-door canvassing, and even opening a temporary office in East Chicago.

Last summer, EPA was ready to start comprehensive cleanup work to remove and replace the soil from every residence at the West Calumet Housing Complex site – leaving the streets and residences in place and minimizing disruption to the community. However, in July 2016, the city independently advised residents to move out of the complex and sought to demolish the residences. By early August, the U.S. Department of Housing and Urban Development announced that it would fund vouchers for residents to move. The East Chicago Housing Authority simultaneously notified residents that they must move out.

In light of the mayor's decision, EPA took immediate steps to protect residents during the interim by cutting off all lead exposure pathways. EPA began an aggressive program to clean the interior of housing complex units. EPA completely cleaned 270 homes in 75 days, utilizing 11

crews. While cleaning the homes, EPA relocated residents to temporary housing and transported children to school. The scale and speed of this indoor cleanup and temporary relocation effort is without precedent for any lead cleanup site in the nation.

EPA's efforts were not limited to the West Calumet Housing site. In August 2016, EPA began the soil sampling needed to develop a cleanup blueprint for approximately 600 properties in Zone 2; completing sampling at 485 properties. In November 2016, EPA cleaned up the soil at 17 priority properties: three home-based day care centers, and 14 homes with higher contamination levels in the top six inches of the soil. EPA also did interior cleaning at five of these homes. This work in Zone 2 was all done with federal funds. While the consent decree does not provide funding for Zone 2, EPA remains committed to ensuring that the cleanup there is performed as quickly as possible.

In Zone 3, EPA finished soil sampling at all of the 419 homes that provided access. From October through early December, EPA cleaned up 37 properties that had priority because of high contamination in the top six inches of soil. At the request of the city, EPA also cleaned up Riley Park, a frequently used public recreation and event space. In addition, EPA did interior cleaning at four homes in Zone 3.

From June 1 through December 9, 2016, more than 200 EPA staff and contractors worked more than 117,000 hours to carry out response actions at the site. EPA community involvement staff were in East Chicago every day to meet with residents and follow up on their individual questions and concerns. EPA also held public meetings and participated in community forums. We received high marks for our work: surveys completed by residents whose yards were cleaned up gave EPA an average rating of 9.7 out of 10. Cleanup work in Zones 2 and 3 will resume in the spring.

Your letter also raises concerns about the way in which EPA provided data to the public. EPA sends residents their sampling results via letter as soon as the final results are available. EPA also calls residents to solicit and answer any questions they may have. And, as you know, EPA has integrated an online data viewer into its website (<https://www.epa.gov/uss-lead-superfund-site>). The purpose of the online viewer is to share data with EPA's partners and with the public, and more generally to provide transparency as to EPA's activities at the site. The online viewer is comprehensive, and includes all soil sampling data at each of the three zones and air monitoring data in real time. These data can be overlaid onto various maps of the site, allowing users to see where and to what extent contamination is located. Data is made available to the public as soon as it is verified.

You also raised questions about drinking-water quality in East Chicago. A recent EPA study in Chicago indicated that heavy construction near and around lead service lines could cause some pipe scale to become dislodged, allowing lead to enter drinking water. Mindful of this, EPA decided to conduct a water pilot study at properties in Zones 2 and 3 that were cleaned up in the fall of 2016. EPA employed thorough water sampling procedures as we did in response to the drinking water issues in other communities.

At this time, EPA continues to analyze data from the pilot study and has not yet come to conclusions regarding the effect of excavation work on lead service lines. However, testing done as part of the pilot study uncovered an issue unrelated to the Superfund work. Samples taken from a number of homes before EPA began any soil excavation work had lead levels above EPA's 15 parts per billion action level. There are two primary reasons for these lead levels: the presence of lead in plumbing materials, and insufficient orthophosphate levels in the drinking water system.

For homes with lead in pipes or plumbing components, there is always the possibility of lead leaching into the drinking water. Replacing lead service lines is an effective but costly and time-intensive solution. A less costly and more immediate solution is currently being implemented by the city: increasing the orthophosphate level to coat the pipes and fixtures. Residents concerned about possible lead levels may want to install an NSF/ANSI-53 filter specifically certified for lead removal. EPA has learned from its experience in Flint that filters are effective in removing nearly all the lead from drinking water.

Public drinking water systems commonly add orthophosphate to drinking water as a corrosion inhibitor to prevent lead and copper from leaching from pipes and fixtures. EPA's initial drinking water sampling detected low or no orthophosphate levels. The Indiana Department of Environmental Management has primary oversight authority to ensure the city meets drinking water standards, and these findings were consistent with monthly operating reports East Chicago had submitted to IDEM.

After EPA notified the city and IDEM about the elevated lead levels, the city boosted the amount of orthophosphate added at the water treatment plant. This step should coat the interior surfaces of plumbing materials and decrease the amount of lead released into the drinking water. EPA does not see a benefit to testing each individual homeowner's tap water because the pilot study identified a system-wide issue that the city is addressing with IDEM. Additional sampling would confirm a problem that has already been identified and is being appropriately remedied.

EPA coordinated with IDEM and the city on how to share the preliminary sampling results from the ongoing drinking water pilot study with residents. On December 2, 2016, EPA shared the preliminary lead results with IDEM and the city. During the following week, EPA, IDEM and the city analyzed and discussed the results, and also talked about how to communicate the results to residents. On December 9, 2016, EPA began calling individual residents to provide them with their sampling results.

Finally, you note the "abrupt" way in which EPA terminated activities at the conclusion of the 2016 construction season. While I understand how this misperception could arise, it is the result of three unrelated actions that happened at the same time: the release of the drinking water results, the unavoidable cancellation of the planned open house and the planned termination of EPA's lease at the Carrie Gosch Elementary School at the end of the construction season.

EPA had scheduled an open house at the Carrie Gosch Elementary School for Saturday, December 10, to discuss cleanup progress to date and plans for 2017, and to address concerns about drinking water together with IDEM. Unfortunately, due to possibility that federal government funding would lapse at midnight, EPA was forced to cancel the public meeting the afternoon of December 9. In fact, Congress did not pass a continuing resolution to fund the government until just before midnight on December 9 – and the President did not sign it until December 10. EPA immediately rescheduled the open house for January 28, and looks forward to providing information to residents at that time.

Further, EPA had provided extensive notice that it would move operations to onsite trailers from the Carrie Gosch Elementary School when EPA's lease at the school expired at the end of the construction season. Beginning in October 2016 and continuing in meetings and on conference calls throughout November 2016, EPA had advised local officials that as work wound down, it would be reducing its footprint and that its field operations would be essentially shut down for the winter.

Please do not hesitate to contact me if you have additional questions or concerns. I would also welcome the opportunity to meet with you at your convenience to discuss EPA's past, current and future actions at the USS Lead Superfund Site as well as our current work with IDEM and the city on drinking water issues in more detail. If you wish to schedule a meeting, please have your staff contact Eileen Deamer or Ronna Beckmann, Region 5 Congressional Liaisons, at (312) 886-3000.

Sincerely,

A handwritten signature in dark ink, reading "Robert A. Kaplan". The signature is fluid and cursive, with the first name "Robert" and last name "Kaplan" clearly legible.

Robert Kaplan  
Acting Regional Administrator